

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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5
6 ANSHU PATHAK,
7 Plaintiff,
8 vs.
9 EXOTIC MEAT MARKERT INC., *et al.*,
10 Defendants.

2:16-cv-00368-JAD-VCF
REPORT AND RECOMMENDATION

11
12 ANSHU PATHAK,
13 Plaintiff,
14 vs.
15 CHARLOTTE SPADARO, *et al.*,
16 Defendants.

2:16-cv-02096-RFB-VCF
REPORT AND RECOMMENDATION

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18 These cases came before the Court for a settlement conference with the Honorable Magistrate
19 Judge Cam Ferenbach on September 12, 2017. (2:16-cv-00368-JAD-VCF, ECF No. 77; 2:16-cv-02096-
20 RFB-VCF, ECF No. 26). After meeting with the attendees, the Court held a hearing to place certain
21 statements on the record. Based on the following representations made during the settlement conference
22 and confirmed at the later hearing, it is recommended that cases 2:16-cv-00368-JAD-VCF and 2:16-cv-
23 02096-RFB-VCF be dismissed.

24 During the settlement conference, Plaintiff Anshu Pathak indicated that he wanted to dismiss case
25 2:16-cv-00368-JAD-VCF because his dispute regarding the trademarks at issue in the case was resolved

1 by the United States Patent and Trademark Office. No defendant has appeared in case 2:16-cv-00368-
2 JAD-VCF, though Sunil Bhasin has attempted to represent the interests of Exotic Meat Market, Inc. in
3 several instances, including at the September 12, 2017 settlement conference. Therefore, case 2:16-cv-
4 00368-JAD-VCF may be voluntarily dismissed by the plaintiff pursuant to Fed. R. Civ. P. 41(a). Pathak's
5 statements at the settlement conference effectively serves as a notice of dismissal before defendants have
6 made an answer or motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A)(i).


7 Pathak also indicated during the settlement conference that he wanted to dismiss case 2:16-cv-
8 02096-RFB-VCF because his dispute with the United States Patent and Trademark Office was resolved.
9 The United States Patent and Trademark Office has appeared in the case, as it filed a motion to dismiss
10 that outlined the process whereby Pathak resolved his dispute. (2:16-cv-02096-RFB-VCF, ECF No. 21).
11 Pathak filed a response to the motion requesting that the case be dismissed. (2:16-cv-02096-RFB-VCF,
12 ECF. No. 23). Based on Pathak's response to the motion and representations at the settlement conference,
13 Pathak has stipulated to granting the United States Patent and Trademark Office's motion to dismiss.

14 Accordingly,

15 IT IS RECOMMENDED that case 2:16-cv-00368-JAD-VCF be DISMISSED.

16 IT IS FURTHER RECOMMENDED that the United States Patent and Trademark Office's motion
17 to dismiss in case 2:16-cv-02096-RFB-VCF (ECF. No. 21) be GRANTED and the case be DISMISSED.

18 DATED this 12th day of September, 2017.

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24 CAM FERENBACH
25 UNITED STATES MAGISTRATE JUDGE